

**Draft Summary of the Environmental Work Group Meeting
Oroville Facilities Relicensing (FERC Project No. 2100)
September 25, 2002**

The Department of Water Resources (DWR) hosted a meeting for the Environmental Work Group on September 25, 2002 in Oroville.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary for interested parties who could not attend the meeting. The following are attachments to this summary:

Attachment 1	Meeting Agenda
Attachment 2	Meeting Attendees
Attachment 3	Flip Chart Notes
Attachment 4	Chart: SP-W2, Contaminant Accumulation in Fish, Sediments, and the Aquatic Food Chain (updated 09/23/02)
Attachment 5	Environmental Study Plan Implementation Update, September 23, 2002
Attachment 6	Draft Meeting Schedule for Plenary and Work Group Meetings August 2002 – July 2003

Introduction

Attendees were welcomed to the Environmental Work Group meeting. Attendees introduced themselves and their affiliations. The desired outcomes of the meeting were discussed as listed on the meeting agenda. The meeting agenda and list of meeting attendees are appended to this summary as Attachments 1 and 2, respectively. Meeting flip chart notes are included as Attachment 3.

Action Item – August 21, 2002 Environmental Work Group Meeting

A summary of the August 21, 2002 Environmental Work Group meeting is posted on the relicensing web site. The Facilitator reviewed the status of the action item from that meeting as follows:

Action Item #E56: Convene a small, focus group meeting to re –evaluate sampling for W2 and report back to full Environmental Work Group

Responsible: Group to include DWR, NMFS, USFWS, and SWRCB

Status: Jerry Boles, DWR study lead for SP-W2 reported that a meeting was held with SWRCB, Office of Environmental Health (OEHA), NMFS, USFWS, and DWR to discuss potential adjustments to the study guidance. The group agreed to accept new minimum collection numbers, 5 for bass and 3 for catfish for first pass and begin processing. All sites will be sampled first, and then revisited to augment samples as necessary. When efforts are unsuccessful in collecting target species, pike minnow may be substituted for bass and carp may be substituted for catfish. These fish have similar feeding habitats and OEHA staff agreed that they are reasonable substitutes. Jerry distributed a chart showing the sampling locations, numbers needed vs. caught by species, and sediment sampling locations (Attachment 4). He added that five bass and catfish collected have been sent to the lab.

Update on Plenary Group Actions

The Facilitator updated the participants on Plenary Group actions taken during their September 24, 2002 meeting. She reported that the Plenary Group discussed SP-F9 and the consensus approval from the last Environmental Work Group. The Plenary agreed that SP-F9 was approved by both the Work Group and the Plenary Group by consensus as defined in the collaborative's Process Protocols and should go forward concurrent with an effort to resolve NMFS' outstanding issues. NMFS has requested dispute resolution and the Facilitator said she would provide an update on that process progress at the next Environmental Work Group meeting. The Plenary Group also discussed scoping document status and the Facilitator reported that copies of Final Scoping Document I (SDI) are available at this meeting for participants who want one. The document will also be produced as a CD for those who wish it in that format.

Ward Tabor described how he introduced Scoping Document II (SDII) at the Plenary Group meeting. He explained that the major difference between SDI and SDII would be the inclusion of more description regarding alternatives to be evaluated. He also noted that in an alternative licensing process, scoping documents described by NEPA remain legally necessary but don't have much significance because the entire process of collaboration is scoping. He said DWR intends to release SDII in draft form in December 2002 and finalize the document in February 2003. SDII will be the blueprint for the environmental document but due to the time constraints, he explained that DWR will not be able to describe many of the finer details regarding alternatives until after it has a better understanding of what a settlement alternative might contain. The No-Action alternative is continued project operations under current conditions but NEPA/CEQA talks about analyzing 'an array' of alternatives so the EA/EIR should probably have more than two. Ward explained that the Plenary Group would discuss project description, purpose and need, and conceptual alternatives in October and November. The alternatives will take shape as the collaborative process moves through the impact analyses and settlement talks and may include a non-settlement alternative or applicant proposal that may not be as robust as a settlement alternative but would include what DWR considers to be mitigation requirements. Some alternatives, such as de-commissioning of the dam will be identified but not evaluated. Steve Rothert with American Rivers asked where PM&Es fit in. Ward replied that PM&Es would be grouped into alternatives and help define them. Alternatives will essentially be packages of PM&Es.

Study Plan Implementation Status

DWR distributed an Environmental Study Plan Implementation Update, September 23, 2002 (Attachment 5) and participants reviewed and discussed the studies as follows:

Fisheries

Michael Perrone, DWR study lead for fisheries provided participants with an update on the fisheries study plans and reviewed the bullets contained in the update document. He indicated that SP-F3.1 snorkel survey work upstream of Lake Oroville would be conducted in the next couple of weeks. He also provided copies of a new report on Feather River fish distribution compiled by DWR for SP-F3.2. He reported that SP-F10 tasks for steelhead tagging and recapture were occurring and they are currently doing analysis for steelhead enclosures. Sturgeon shelters yielded no eggs or larvae this season and the Chinook carcass survey is underway and would continue through December.

Steve Ford reported some work on SP-F9 such as the hiring of three new people to supplement the American and Yuba River field crews and the upcoming meeting of expert geneticists from UC Davis, Bodega Marine Lab, Oregon State, NMFS and CDFG to discuss salmon and steelhead genetics. He added that DWR had received a proposal from Dr. Hedrick at UCD for IHN work on

both the American and Feather rivers. Steve also reported that he has contacted US Bureau of Reclamation's IEP program manager to investigate cost sharing for straying issues.

Terrestrial

Gail Kuenster, DWR's lead for vegetation issues provided an update on the terrestrial study plans. She reviewed the terrestrial portion of the update document and noted that the mapping and conversion from vegetation to WHR for SP-T4 is taking longer than expected but she is hoping that task is completed by November. The GPS mapping of hiking and biking trails for SP-T9 has been completed. Gail also reported that the water fluctuation in the Afterbay is affecting waterfowl nests and resulting in potentially high numbers of nests lost. She has provided this information to Dave Bogener, DWR study lead for wildlife issues and noted that if the water level is increased once a week at appropriate times, that may discourage waterfowl from nesting in the fluctuation zone. Steve Ford noted that operations staff has been working with California Waterfowl Association to make changes that will help with waterfowl nesting.

Woody Elliot with State Parks and Recreation asked if DWR would share the GIS layers as they are developed with their sister agencies. Steve Ford responded that Bill Mendenhall is working on the data management aspects of the relicensing and while currently raw data are being fed into the IEP database, Bill is working on how this information will be made available. The participants agreed that a presentation by Bill Mendenhall on the GIS and data management for the process to the Environmental Work Group would be beneficial.

Water Quality

Jerry Boles provided the participants with an update on the water quality study plans and reviewed the information in the update document. He reported that sampling for aquatic total and fecal coliform was conducted near a major holiday (Labor Day) at Monument Hill, the swim beach at the North Forebay and Bedrock Park as described in SP-W1 and per Regional Water Quality Control Board. He also reported that significant mortality from a fleeting toxicity (not present when toxicity identification tests were conducted) was found downstream but not upstream of the hatchery. Steve Ford noted that DFG has their own waste discharge permit that has a couple of renewals prior to the filing date for DWR's FERC application.

Jerry reported that macroinvertebrate studies were initiated this month and site visits to recreational features were conducted in May and June for SP-W3. Woody Elliot asked if DPR could get a copy of the results from the site visits as soon as possible and get a 'head's up' for anything that requires immediate attention. Jerry noted that one activity observed is that DPR cleans the horse campground and dumps the organic waste into a ravine that drains into the lake when it rains. Steve Ford responded that during the course of this relicensing we are going to have lots of people in the field and when an activity such as this is identified it is DWR's obligation under the existing license to notify our sister agency. We would not wait for the relicensing to address it. Nan Nalder representing the State Water Contractors suggested using a self-audit system where these types of fixes identified early in the process can be incorporated into the draft recreation management plan and implemented right away so they don't need to be considered later. Steve Ford agreed that it would be good to consider that approach. Woody added that DPR and DWR already meet once a month and perhaps that would be a good forum for discussing things like the maintenance practices at the horse campground.

Jerry reported that level loggers have been installed in the Oroville Wildlife Area to monitor how river fluctuations affect pond levels and thermographs have been installed with data already sent to the IEP database.

Geomorphology

Bruce Ross, DWR study lead for geomorphology provided an update on the geomorphic studies. He indicated mapping efforts are ongoing with re-digitizing of the geologic map from the 1970s earthquake map and overlying COE 2-foot contours onto the Feather River geologic map completed. He explained the difficulties of accessing the North Fork due to flow fluctuations and the low flow conditions of the Middle and South Fork. He reported that 1990 IFIM photos have been rectified and ESO appears to have riffle photos going back quite some time that can be used to evaluate changes in spawning habitat utilization. Chuck Hanson asked if some of the access issues might be overcome by coordinating with PG&E on their release schedule. Eric Theiss with NMFS offered that they had already asked PG&E to coordinate with Oroville regarding relicensing activities. Mike Mainz with CDFG reminded the participants that his experience with extracting information from PG&E related to other relicensings has been disappointing as they regard much of their data as proprietary and will not release it. He added that information related to the Rock Creek/Cresta project is publicly available but Upper North Fork Feather River has not been filed so studies related to it may not be available.

Steve Ford reported that the Engineering and Operations Work Group is ready to discuss the Fluvial 12 model and would like to set a date for a joint Engineering and Operations/Environmental Task Force meeting probably in early November. Steve asked NMFS and CDFG to let their geomorphologists know of this upcoming meeting.

The Facilitator asked if this type of update on the study implementation was useful and the participants agreed it was. Chuck Hanson asked if for future updates, potential problems could be added as a category and if a three-month projection of major milestones could also be included. The participants agreed to these suggestions.

Cumulative Issues Discussion

Wayne Dyok with the consulting team reminded the participants that a guidance document for addressing the cumulative effects and Endangered Species Act issues was developed by an Environmental Task Force and distributed and discussed in other work groups within the collaborative. He noted that DWR has not yet received the letter(s) by NMFS and USFWS promised within 30 days of the last Task Force meeting outlining their issues and additional guidance specific to the guidance document. Wayne told the participants that DWR intends to follow the nine steps identified in the guidance document and wanted to brainstorm with them at this meeting to begin identifying other projects that might be considered when conducting the cumulative analysis.

He first reviewed the nine steps described in the Guidance document (see 06-26-02 Environmental Work Group Meeting Summary, Attachment 6) and then reviewed the general issues that DWR considers to have potential cumulative impacts for the four environmental resource sub-areas. Potential cumulative effects on geomorphology involve sediment into and out of the project. Potential terrestrial effects involve endangered species and their habitat, fuel load management/suppression techniques, pesticide practices within the Project area, and riparian management. Nan Nalder noted that since the Project has no control over agricultural pesticide practices outside of the Project Boundary, their cumulative effects should not be evaluated within the relicensing. Ward Tabor agreed and reminded participants that they need to identify a direct impact from the Project first in order to describe the Project's role cumulatively.

Wayne explained that each water quality parameter being evaluated through the studies underway would be considered for cumulative analysis. Potential cumulative effects on fisheries include listed species and Wayne explained that the specific approach DWR intends to take to analyze these effects is outlined in the Cumulative/ESA Guidance document. Eric Theiss offered that

NMFS has their own ideas about how this should be approached and won't sign off on any approach right now.

Wayne explained that with the current investigations underway, there is an opportunity to collect additional information on some projects that may be included in the cumulative effects analysis. The participants developed a list (see flip chart notes, Attachment 3) and discussed how to describe projects that are also in the process of relicensing such as PG&E's upstream projects. Eric Theiss suggested that DWR might want to review the framework of the American River Pump Station project completed by SWRI for use as a model for the analysis. Chuck Hanson offered that the Central Valley Project and the State Water Project operations have been characterized system wide and they should be able to provide what their foreseeable actions could be. He asked how DWR would look at hatchery operations in light of the mitigation responsibilities and separate ocean enhancement goals of the hatchery program. Steve Ford agreed that state and federal programs and Oroville's mitigation role complicate the hatchery issues and added that defining baseline for these ongoing programs will be difficult. All agreed that analysis should not be undertaken on projects that are far too speculative or will be evaluated after ours such as Shasta Dam. Nan Nalder suggested that DWR develop a large map of the region and use a color code to identify the other projects. DWR agreed that would be helpful.

Study Plan F9 Update

Steve Ford reported that some changes had been made to SP-F9 such as adding citations and figures and after talking to CDFG, additional changes made since the last meeting that will hopefully address some of NMFS concerns. CDFG has agreed to collect morphometric data from juvenile steelhead. Steve added that DWR is reviewing Dr. Hedrick's proposal for additional IHN work and is intending to hold another technical input session in October. He informed the group that a letter had been drafted in response to the letter received by DWR from NMFS on July 11. The response discusses each of the points raised in the NMFS letter and describes how SP-F9 addresses each concern. He asked the NMFS representative to follow-up on this because the collaborative needs to know how SP-F9 falls short of NMFS needs. David White agreed to see that NMFS would provide that information. Steve reminded the participants that the Plenary had discussed this and agreed that DWR will proceed with implementation of SP-F9 while outstanding NMFS issues are discussed within a dispute resolution process.

The Facilitator informed the participants that Jim Fargo with FERC expressed FERC's desire that the participants exhaust all methods of resolution within the collaborative framework before bringing this to them and entering into a process that can take several years to complete.

Study Plan F16 Update

Steve Ford reported that SP-F16 is on track and earlier concerns regarding potential ponding and subsequent stranding during increased flow in the low flow channel were not warranted. Michael Perrone reported that the approximately 2 feet increase did not overtop the berm crest so no ponding occurred.

Next Steps / Meetings

Steve Ford suggested that the relicensing process was in a transitional period between study plan development and implementation and perhaps we should consider skipping the next scheduled work group meeting to allow for further development of the next tasks for the collaborative. A participant suggested that the near-term agenda goals discussed in the Plenary meeting could be attached to this meeting's summary. The Facilitator directed the participants to check the Plenary Group meeting summary for the attachment that includes potential agenda items for the next

several months. Chuck Hanson agreed that we could have longer, less frequent meetings until monthly meetings become necessary again to evaluate reports and documents as they are developed. The Environmental Work Group agreed to cancel the October Environmental Work Group meeting and meet next on:

Date: Wednesday, November 20, 2002
Time: 9:30 a.m. – 3:30 p.m.
Location: Kelly Ridge Golf Course Meeting Room

Chuck Hanson also indicated that he had some thoughts on the fisheries report that Michael Perrone handed out and wanted to know if it was appropriate to submit comments. Steve Ford agreed to a one month review period and indicated that if anyone had comments on either the report that was handed out at this meeting or the one handed out at the last Environmental Work Group meeting they should forward them to Michael Perrone by October 25.

The Facilitator distributed a revised meeting schedule that shows meeting dates through July 2003 (Attachment 6).

Action Items

The following action item identified by the Environmental Work Group includes a description of the action, the participant responsible for the action, and due date.

Action Item #E57: Arrange for a presentation by Bill Mendenhall on data management and GIS layer development and availability

Responsible: DWR

Due Date: November 20, 2002

Action Item #E58: Provide comments on two fisheries reports to Michael Perrone.

Responsible: Environmental Work Group participants

Due Date: October 25, 2002

Action Item #E59: Develop a large regional map with color-coded identification of other projects to be considered in cumulative analysis.

Responsible: DWR

Due Date: November 20, 2002